

MINUTES

MONTANA SENATE 59th LEGISLATURE - REGULAR SESSION

COMMITTEE ON TAXATION

Call to Order: By **CHAIRMAN JIM ELLIOTT**, on April 5, 2005 at 8:02 A.M., in Room 405 Capitol.

ROLL CALL

Members Present:

Sen. Jim Elliott, Chairman (D)
Sen. Jerry W. Black (R)
Sen. Jeff Essmann (R)
Sen. Kelly Gebhardt (R)
Sen. Kim Gillan (D)
Sen. Dan Harrington (D)
Sen. Sam Kitzenberg (R)
Sen. Bob Story Jr. (R)
Sen. Ken Toole (D)

Members Excused: Sen. Jon Ellingson (D)
Sen. Trudi Schmidt (D)

Members Absent: None.

Staff Present: Kathleen Ely, Committee Secretary
Lee Heiman, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 89, 4/4/05; HB 758, 4/4/05
Executive Action: HB 186, HB 475, HB 513, HJ 2,
HB 625

00:00:47

HEARING ON HB 89

Opening Statement by Sponsor:

REP. JOHN WITT (R), HD 28, opened the hearing on **HB 89**, Revise requirements for automated reporting system for gambling machines.

Proponents' Testimony:

00:03:07 Gene Huntington, Gambling Control, Department of Justice

[EXHIBIT](#)(tas72a01)

00:09:39 Rich Miller, Gaming Industry Association

[EXHIBIT](#)(tas72a02)

Opponents' Testimony: None.

Informational Testimony: None.

00:12:36

Questions from Committee Members and Responses:

00:33:05

Closing by Sponsor:

00:34:35

HEARING ON HB 758

Opening Statement by Sponsor:

REP. WALTER MCNUTT (R), HD 37, opened the hearing on **HB 758**, Oil, gas, and coal natural resource account fund.

[EXHIBIT](#)(tas72a03)

Proponents' Testimony:

00:39:15 William Duffield, Association of Gas, Coal and Counties

00:41:26 REP. RALPH LENHART, HD 38

00:42:37 Alec Hansen, League of Cities and Towns

00:44:59 Brett Snelzar, Mayor of Sidney

00:47:26 Clay Horning, Mayor of Baker

00:49:18 Harold Blattie, Montana Association of County
Officials
00:49:32 Bud Clinch, Montana Coal Council
00:50:08 Bob Gilbert, City of Sidney
00:53:37 Gail Abercrombie, Montana Petroleum Association
00:55:19 Jerome Anderson, Encore Acquisition
00:55:51 Patrick Montalban, NMOCA
00:56:27 Ed Bartlett, Northern Alliance
00:56:37 Tom Ebzery, Nance Petroleum
00:57:15 Gary Amestoy, Richland County Commissioners,
Richland Economic Development Corporation
00:58:08 REP. LLEW JONES, HD 27
00:58:44 Jerry Jimison, Mayor of Glendive

Opponents' Testimony: None.

Informational Testimony:

01:01:39 Van Charlton, Department of Revenue

01:02:12

Questions from Committee Members and Responses:

01:08:47

Closing by Sponsor:

01:14:12

EXECUTIVE ACTION ON HB 186

Motion: SEN. TOOLE moved that HB 186 BE CONCURRED IN.

Motion/Vote: SEN. TOOLE moved that HB 186 BE AMENDED. Motion carried unanimously by voice vote.

EXHIBIT(tas72a04)

Motion/Vote: SEN. TOOLE moved that HB 186 BE AMENDED. Motion carried unanimously by voice vote.

EXHIBIT(tas72a05)

01:16:23 Riley Johnson, Segway Corporation

Motion/Vote: SEN. TOOLE moved that HB 186 BE CONCURRED IN AS AMENDED. Motion carried 7-2 by voice vote with SEN. ELLIOTT and SEN. STORY voting no.

01:24:49

EXECUTIVE ACTION ON HB 475

Motion: SEN. TOOLE moved that HB 475 BE CONCURRED IN.

Motion: SEN. TOOLE moved that HB 475 BE AMENDED.

EXHIBIT(tas72a06)

The Committee suspended action on HB 475.

01:45:08

EXECUTIVE ACTION ON HJ 2

Motion: SEN. TOOLE moved that HJ 2 BE CONCURRED IN.

Motion/Vote: SEN. TOOLE moved that HJ 2 BE AMENDED. Motion carried 7-4 by roll call vote with SEN. BLACK, SEN. ESSMANN, SEN. GEBHARDT, and SEN. STORY voting no. SEN. ELLINGSON and SEN. SCHMIDT voting aye by proxy.

EXHIBIT(tas72a07)

01:46:08

Judy Paynter, Governors Budget Office

01:48:46

Dan Dodds, Department of Revenue

01:52:07

Terry Johnson, Legislative Fiscal Analyst

Motion/Vote: SEN. TOOLE moved that HJ 2 BE AMENDED. Motion carried 7-4 by roll call vote with SEN. BLACK, SEN. ELLIOTT, SEN. ESSMANN, and SEN. STORY voting no. SEN. ELLINGSON and SEN. SCHMIDT voting aye by proxy.

Motion/Vote: SEN. TOOLE moved that HJ 2 BE AMENDED. Motion carried 7-4 by roll call vote with SEN. BLACK, SEN. ELLIOTT, SEN. GILLAN, and SEN. STORY voting no. SEN. ELLINGSON and SEN. SCHMIDT voting aye by proxy.

Motion/Vote: SEN. TOOLE moved that HJ 2 BE CONCURRED IN AS AMENDED. Motion carried 10-1 by roll call vote with SEN. ELLIOTT voting no. SEN. ELLINGSON and SEN. SCHMIDT voting aye by proxy.

02:50:55

EXECUTIVE ACTION ON HB 625

Motion: SEN. TOOLE moved that HB 625 BE CONCURRED IN.

Motion/Vote: SEN. TOOLE moved that HB 625 BE AMENDED. Motion carried unanimously by voice vote.

Motion/Vote: SEN. TOOLE moved that HB 625 BE AMENDED. Motion carried unanimously by voice vote.

[EXHIBIT](#)(tas72a08)

Motion/Vote: SEN. GEBHARDT moved that HB 625 BE CONCURRED IN AS AMENDED. Motion carried 7-1 by voice vote with SEN. ELLIOTT voting no.

02:54:39

EXECUTIVE ACTION ON HB 513

Motion/Vote: SEN. TOOLE moved that HB 513 BE CONCURRED IN. Motion carried unanimously by voice vote.

ADJOURNMENT

Adjournment: 11:03 A.M.

SEN. JIM ELLIOTT, Chairman

KATHLEEN ELY, Secretary

JE/ke

Additional Exhibits:

EXHIBIT ([tas72aad0.PDF](#))